

Message Text

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ACTION EA-12

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TAGS: PINT, SHUM, RP

SUBJECT: LEGISLATIVE ELECTIONS: MARCOS COMMENTS ON AQUINO'S APPEAL
FOR RELEASE

REF: MANILA 2698

1. SUMMARY: PRESIDENT MARCOS SAID FEBRUARY 19 THAT AQUINO'S REQUEST FOR RELEASE HAS BEEN REFERRED TO THE NATIONAL SECURITY COUNCIL AND THAT A DECISION IS EXPECTED WITHIN A FEW DAYS. HE ADDED THAT IT HAS NOT YET BEEN DECIDED WHETHER AQUINO WOULD BE ALLOWED TO SIT IN THE INTERIM LEGISLATURE IF ELECTED. AQUINO'S PARTY LABAN ANNOUNCED THAT IT WILL FORMALLY REQUEST AQUINO'S RELEASE FEBRUARY 20. END SUMMARY.

2. IN A BAGUIO AIRPORT INTERVIEW FEBRUARY 19, PRESIDENT MARCOS WAS ASKED ABOUT THE STATUS OF BENIGNO AQUINO'S SECOND REQUEST FOR RELEASE IN ORDER TO CAMPAIGN FOR A SEAT IN THE INTERIM BATASANG PAMBANSA (REFTEL). MARCOS REPLIED THAT THE REQUEST HAS BEEN REFERRED TO THE EXECUTIVE COMMITTEE OF THE NATIONAL SECURITY COUNCIL (NSC), HEADED BY SECDEF ENRILE; HE EXPECTS A RECOMMENDATION FROM IT IN A FEW DAYS.

3. THE NSC, MARCOS SAID, HAS REQUESTED ADVICE FROM THE
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SOLICITOR GENERAL AND THE JUSTICE DEPARTMENT REGARDING THE PRESENT NATURE OF AQUINO'S CASE. HE SAID THE ISSUE BOILS DOWN TO WHETHER (A) THE EXECUTIVE BRANCH HAS CONTROL OVER AQUINO, SINCE HE IS BEING TRIED BEFORE A MILITARY TRIBUNAL; OR (B) THE SUPREME COURT NOW HAS JURISDICTION OVER HIM, SINCE IT HAS TAKEN UP AQUINO'S REQUEST FOR HABEAS CORPUS AND FOR TRANSFER OF HIS TRIAL TO A CIVILIAN

COURT. THE JUDGE ADVOCATE GENERAL WAS ORDERED TO PRODUCE AN OUTLINE OF THE CHARGES AND EVIDENCE AGAINST AQUINO, MARCOS SAID, AND THE INTELLIGENCE COMMUNITY WAS ALSO ASKED FOR ITS OPINION.

4. INTERVIEWERS ASKED MARCOS WHETHER AQUINO WOULD BE ALLOWED TO SIT IN THE IBP IF HE IS ELECTED. MARCOS REPLIED THAT THIS IS A LEGAL QUESTION WHICH STILL MUST BE DECIDED. "DOES A POLITICAL ACTION WIPE OUT CRIMINAL LIABILITY?" HE ASKED RHETORICALLY. PRESS ACCOUNTS NOTED THAT AQUINO IS CHARGED WITH MURDER AND ILLEGAL POSSESSION OF FIREARMS AS WELL AS SUBVERSION, "A POLITICAL CRIME."

5. LATER THE SAME DAY, IN A SPEECH IN TUGUEGARAO, CAGAYAN PROVINCE, MARCOS URGED VOTERS TO REPUDIATE CANDIDATES WHO HAD TRIED TO FOMENT THE ANARCHY AND REBELLION THAT FORCED HIM TO PROCLAIM MARTIAL LAW. WITHOUT MENTIONING NAMES, HE ASKED, "NOW THAT WE ARE NEARLY NORMALCY, NOW THAT WE HAVE PEACE, WHY DO THEY, WITH THEIR SIREN CALL, COME TO YOU FOR SUPPORT?" HE WARNED THAT THE RETURN TO POWER OF THESE POLITICIANS WOULD PLUNGE THE COUNTRY INTO A STATE OF LAWLESSNESS AND ECONOMIC CHAOS.

6. MEANWHILE, OPPOSITION LABAN SECRETARY GENERAL NAP RAMA TOLD THE PRESS HIS GROUP WILL PRESENT A FORMAL LIMITED OFFICIAL USE

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PETITION FOR AQUINO'S RELEASE TO MARCOS TODAY (FEBRUARY 20). RAMA SAID THE LABAN CAMPAIGN HAS NOT YET STARTED IN EARNEST DUE TO "THE ABSENCE OF OUR ANCHORMAN."

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